

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA	§	
	§	
v.	§	
	§	NO. 3:19-CR-162-S (1)
JOEY EARL COOPER,	§	
Defendant	§	

**REPORT & RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE
AND DEFENDANT'S WAIVER OF RIGHT TO OBJECT**

Defendant JOEY EARL COOPER is charged in a petition with a violation of the terms of his supervised release. On December 3, 2020, the United States Magistrate Judge conducted a revocation hearing by video teleconference. Defendant personally appeared and as represented by counsel.

Based on Defendant's plea of true to the allegations in the petition (excluding the alleged failure to attend an 8/14/2019 drug treatment session) and the evidence and arguments offered at the hearing, and for the reasons explained on the record at the hearing, the Magistrate Judge recommends the United States District Judge:

- ☒ find Defendant violated the terms of his supervised release petition (excluding the alleged failure to attend an 8/14/2019 drug treatment session);
- ☒ revoke Defendant's supervised release;
- ☒ impose a sentence of an additional term of imprisonment of 12 months and 1 day with credit for time served in federal custody prior to revocation and with no further term of supervised release to follow; and
- ☒ recommend that the defendant serve his sentence at FCI Texarkana.

SO RECOMMENDED.

December 3, 2020
Date



DAVID L. HORAN
UNITED STATES MAGISTRATE JUDGE

NOTICE AND WAIVER

A copy of these findings, conclusions, and recommendation shall be served on all parties in the manner provided by law. Any party who objects to any part of these findings, conclusions, and recommendation must file any specific written objections within 14 days after being served with a copy. *See* 28 U.S.C. § 636(b)(1); FED. R. CRIM. P. 59(b). In order to be specific, an objection must identify the specific finding or recommendation to which objection is made, state the basis for the objection, and specify the place in the magistrate judge's findings, conclusions, and recommendation where the disputed determination is found. An objection that merely incorporates by reference or refers to the briefing before the magistrate judge is not specific. Failure to file specific written objections will bar the aggrieved party from appealing the factual findings and legal conclusions of the magistrate judge that are accepted or adopted by the district court, except upon grounds of plain error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1417 (5th Cir. 1996).

In open court, the magistrate judge informed Defendant that any recommendation of revocation of supervised release, and the imposition of any sentence, is subject to the approval of the United States District Judge, and that Defendant may object to the Magistrate Judge's recommendation within 14 days before any additional sentence is imposed.

I, Defendant JOEY EARL COOPER, hereby

- ☐ waive my right to object to the Report and Recommendation of the Magistrate Judge.
- ☐ do NOT waive my right to object to the Report and Recommendation of the Magistrate Judge.

December 3, 2020

Date

s/ Gabriela Vega for Joey Earl Cooper

Defendant

Defense Counsel

Consented to by United States

Assistant U.S. Attorney